

FISCAL NOTE

HB 790 - SB 1073

February 17, 2005

SUMMARY OF BILL: Creates a Class D felony for selling prescription drugs obtained through the TennCare program; penalty may be enhanced and graded as theft based upon the value of the drugs.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$42,200/Incarceration*

Other Fiscal Impact - Currently all fines for selling, bartering, giving away or obtaining legend drugs are paid to the Board of Pharmacy. Any loss of revenues to the Board of Pharmacy is not estimated to be significant.

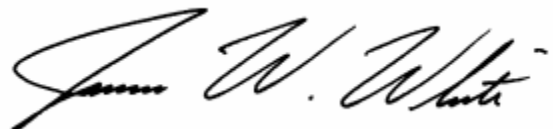
Assumptions:

- Four additional Class D felony convictions elevated from a Class C misdemeanor for selling legend drugs obtain through TennCare.
- Selling of controlled substances is currently prohibited by other provisions.

**Section 9-6-119, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

HB 790 - SB 1073